

HEDGES TO BE PROSECUTOR

NAMED BY ATTORNEY GENERAL TO
TAKE CHARGE OF ELECTION CASES.

Albany, Nov. 10 (Special).—Governor Roosevelt issued formal and official instructions yesterday to Attorney General Davies to take charge of the prosecution of election offenses in New-York such as the falsification of a fraudulent voting ticket or signature card on this work.

Attorney General Davies named J. E. Hedges, Deputy Attorney General, to attend to this work, and a commission was at once issued to him. Inasmuch as secrecy was desired, no news of this action of the Governor and the Attorney General was made public until to-day. The object of the commission to the Attorney General was that J. E. Hedges time to travel to New-York and announce his authority to District Attorney Gardiner, before he could take any action. It was desired that a swift acting official could initiate any election prosecution of a confusing nature on his own responsibility. It is probable that Governor Roosevelt will have to take action on this matter. District Attorney Gardiner, as the prosecuting officer in New-York of the State, so far as election cases are concerned, soon after the termination of his consultation yesterday with John McCullagh, the Superintendent of the State Prison, will be in New-York.

self-interest and elections, and as one of the results of his talk with Mr. McCullagh. The State has no real super-stature, since the District Attorney Gardiner has yet begun his election prosecution proceedings. What he has done has been to have a Grand Jury summoned to deal with election and other offences. It is stated that the Governor was apprehensive of conflicting action in prosecuting election offenders, if District Attorney Gardiner prosecuted some of the cases. The Grand Jury was composed of Judge Charles General Coyne. When the special Grand Jury meets on November 22 to try election cases with the regular Grand Jury, the Governor has designated, acting as the Presiding Judge of this extraordinary term, it would seem that the prosecution of election cases will be placed in the hands of a body evenly divided between Deputy Attorney General Coyne and Deputy Attorney General H. B. Hild.

The city authorities are thus deprived of all charge of the election cases. The State officers are left with the responsibility of the election, and it is that Richard Croker will see in this action of Governor Roosevelt new evidence of an intention by the State to take away from the people the rights that Richard Croker has so successfully made the home rule rights of New-York.

Job E. Hedges appeared at the office of District Attorney Gardiner yesterday. He brought with him credentials from Attorney General Davis which he gave to Mr. Gardiner. Mr. Gardiner welcomed him and took him over to the Grand Jury room, where he introduced him to the members of the special Grand Jury, and to his assistant, Mr. Unger. At the request of Mr. Hedges, the case was adjourned till next Wednesday to allow him to prepare a statement.

Mr. Hedges was acting under a law passed last year, which gives to the State Attorney General the power to go into any county of the State and have a representative take charge of the election. The Deputy Attorney General to look after election cases in this State.

Mr. Gardiner said that the Attorney General is exercising his power to have a representative on the Grand Jury. This jury is to be composed of twelve men in whatever way he can, and offer every facility to him. He said that he had no objection to the appointment of a representative as of any significance, political or otherwise.

Mr. Hedges was at the Fifth Avenue Hotel in the evening, and said he expected some hard knock in connection with the election. He said that he expected to be brought to the attention of the Special Grand Jury and the Extraordinary Grand Jury, which are to be composed of twelve lawyers who will be designated to aid in the work, but he said last evening that he could not tell who would be the republican politicians at the Fifth Avenue Hotel last evening said that the prosecution of the election cases meant that the Tammany scheme to turn out the present Grand Jury would be frustrated. He said that the frauds at the election would be frustrated. Before

It is believed that so many persons concerned the frauds at the District will be sent to prison this summer. Tammany workers will hesitate to commit such frauds next year.

**AARON C. ALLEN HELD.
ELECTIONS BUREAU CLERK MUST FACE
TRIAL FOR ALLEGED ILLEGAL
REGISTRATION.**

Aaron C. Allen, of No. 159 West Eightieth-st., formerly chief clerk in the Bureau of Elections and now an assistant chief clerk in the same place, was held by Magistrate Pool in the West Side court yesterday morning to \$500 bail for

The bill was furnished by George Gordon of No. 100 West Eightieth-st. Allen was arrested on Election Day, charged with illegal registration and held for examination, the case being set for hearing yesterday. He was represented by Vernon M. Davis, while George C. Austen, representing the Republican County Committee, appeared as prosecutor.

The first witness called was J. C. Bennett, a real estate agent, of No. 328 Columbus-ave. He testified that on October 7 he leased the apartments at No. 159 West Eightieth-st. to Mrs. Lillian J. Jacques. Cornelius O'Reilly, a truckman of Lexington-ave and Forty-fourth-st., testified that he removed the furniture of Mrs. Jacques from No. 414 Lexington-ave. to No. 159 West Eightieth-st. on October 14.

Dr. Charles A. Jaques, of No. 664 Lexington-ave., testified that he was the husband of Mrs. Lillian J. Jaques. He had separated from his wife on September 24. On October 1 he happened to be passing the home of his wife, at No. 414 Lexington-ave., and saw a truck and a man carrying a large amount of furniture into the van. He recognized the furniture as that which had been in his former home. Mrs. Dorothy Fink, the housekeeper of No. 119 West Eighteenth-st., testified that Mrs. Jaques moved into the apartments some time before November 9. She said she did not know the man, but remembered Samuel Krishel, a decorator, of No. 36 Columbus-ave., testified that Bennett or Krishel had decorated the apartment at No. 119 West Eighteenth-st. He began to make the decorations on Saturday, October 7. There was a small bundle of furniture in the room at that time. He had to work until October 10 and there was no furniture in the rooms at that time.

Mr. J. Edgar Hoover, chief of the bureau, said the premises on October 6 last. She ordered the furniture removed on October 7. She said she had called on her new abode until October 11. She testified that Mr. Allen was

"The evidence in this case discloses that the defendant was boarding with Mrs. Jacques, and that neither he nor Mrs. Jacques moved until Wednesday, October 11. The law says that a man must have a residence in an election district for thirty days prior to an election. The evidence of the prosecution is that the defendant moved and did not comply with the terms of the law. Under these circumstances I shall be compelled to hold him for trial."

♦

GEORGE M. PALMER IN TROUBLE.
DEMOCRATS SUSPECT HIS ACTIONS REGARDING
FRISBIE IN SCHOLARSHIP.

Albany, Nov. 10 (Special).—George M. Palmer, the Democratic Assemblyman from Schoharie County, who acted as leader of the Democratic party in the Assembly the present year, is in deep political disgrace, and may never have another office at the hands of the Democratic party. The cause of this is the small plurality given to Daniel D. Frisbie, the Democratic candidate for Assemblyman from Schoharie County. He has a plurality of only thirty-seven votes, and it is said that in the town of Cobleskill enough ballots to change the result which had been cast for the Republican candidate for Assemblyman were thrown out. Mr. Palmer is accused by his fellow Democrats with

"APE

A Sp

For Habitual Constipation

AFTER THE FIRST FULL DOSE
(followed perhaps by a little hot

Further particulars from United Agents of the Apollinaris Co., Ltd.,

IVE.
e giffle gie us
s see us!
nder free us,
erter M.

NO COURT MARTIAL FOR ROE.

tion that little ground for General Butts' charges exists.

Albany, Nov. 10 (Special).—Governor Roosevelt told to-day that he had received the charges made by Butts against Major General Andrews, commander of the National Guard, and had at the papers to Attorney General Davies for his consideration.

The charges are purely of a technical nature, and the judgment of a high military official do not errant a court martial. The Military Code only permits of the use of armories for military purposes, and it is not against the general regulations to armories at the time of the Dewey race, and it is said that this was not a military purpose. If not, in the opinion of Adjutant General Andrews, it was hard to distinguish from a military purpose, and he fully sustains Major General's action. Whether the Attorney General interprets the act as Adjutant General Andrews interprets it or not, it is apparent that Major General Roe will not be subjected to any court martial.

It is understood that General Butt lays stress on the fact that General Roe quartered bodies of troops not belonging to the New-York Guard

the armory of the 12th Regiment without the order of the Governor and without the consent of a commanding officer of the brigade and the colonel of the regiment, and that, also, the bond required by the military laws was not furnished. The date of these alleged infractions of the Code is September 23.

Another specification in the first charge goes into detail and refers to the assignment of troops of the up-State organizations to the services of the First Brigade. These were the 1st

The principal specification of the second charge that General Roe took upon himself the authority the Governor in sending the Pennsylvania regiment to march against the 12th Regiment. The action of the Code dealing with such a case is at which treats of "conduct prejudicial to good order and military discipline," and it is understood at this is the form of the second charge. The Governor assigning the 9th Pennsylvania and the Wash-

by orders issued on September 23 the order was sent direct to the colonel without having passed through brigade headquarters. If General Lee had no authority for this action his conduct would fall under that section of the code which deals with "unofficerlike and unmilitary conduct," and information from Albany makes it clear that this is the nature of the third charge.

SOMETHING ELSE MAY BE DONE.
LONEL BACON SUGGESTS THAT THE CIVIL
COURTS MAY BE ASKED TO INTERFERE.

A prominent officer of the Guard said yesterday: "The reference of the charges by the Governor to the Attorney General shows that he will act impartially in the matter." Officers of the Guard generally admit that the section of the

General Butt declined absolutely yesterday to say a word about the charges. Of the rumor that he might resign in the event of the charges not being allowed he said with a smile: "I won't resign, and don't expect to for twenty-five years."

Colonel Alexander S. Bacon, General Butt's cousin, would only say yesterday that the disallowing

the charges by the Governor would end military procedure in the matter, but significantly that "other action" might be taken. This mark has much significance, taken in connection with General Butt's remark some weeks ago that would hereafter have his brigade run in accordance with military laws if he had to go to the civil courts.

◆

THE MOVEMENT FOR PURE FOOD.

—

VIOLATIONS OF THE AGRICULTURAL LAW TO

BE PUNISHED.

Albany, Nov. 16.—As the result of the many applications made to the Attorney General asking at the consent of his Department be given to a compromise, or even an abandonment of prosecutions for violations of the Agricultural law, the Attorney General has mailed a circular letter to special counsel through the State designated to prosecute these cases that no compromise shall be made in any case unless the State Commissioner of

these applications are made upon many grounds, if among which are ignorance of the law on the part of the persons accused, their inability to pay penalty or their alleged good standing and influence in the community. While it is not the intention of this Department to impose unnecessary hardship, still, the welfare of the public demands that violators of this act shall be prosecuted with vigor consistent with justice. The public health requires that food supplies be pure and wholesome, and especially it is necessary that no

alterations be permitted in this, which forms a large portion of the sustenance of the young, aged and invalids.

JOHN C. LAMMERTS CONVICTED.

RYER BRINGS IN VERDICT OF GRAND LARCENY—CASE TO BE APPEALED.

Buffalo, N. Y., Nov. 10.—A dispatch to "The Buffalo News" from Lockport says the jury in the case of

County Treasurer John C. Lammerts this morning presented a verdict of guilty of grand larceny the first degree for embezzling county funds. There are fifteen other indictments against Lammerts, and the amounts involve nearly \$50,000. The case has been on trial for two weeks. An arrest of judgment was granted and an appeal will be taken.

— • —

JUDGMENT ON CANAL CONTRACTS.

Albany, Nov. 10.—The Canal Board to-day at

meeting decided that there is an
23. Middle Division, Gaynor, contractor, the
of \$14,881, and on Contract No. 7, Middle
Division, Priddy, contractor, the sum of \$24,662.

CROKER ON RAPID TRANSIT AGAIN!

Richard Croker was at the Democratic Club last
night, but he had no comment to make on the
litigal situation. He did say, however, that he
is glad to see that rapid transit now seemed a
fact, and he never receded from my belief

at the first spadeful of earth taken out to provide for rapid transit gives property along the route of the road an additional value. I think it will increase greatly the valuation of property in the city, and thus provide for a greater borrowing capacity upon the part of the city, if such a plan should be found necessary in time. It also will decrease taxes, I think, and be a great benefit many ways."

the leaders think that he can't represent the power he now holds in the organization and thus "frozen out."

Ham Gruber, the leader in the XXist District who made the open fight against the re-election of Quigg in the County Committee two months ago, may introduce a resolution at the next meeting of the committee to revise the rules so as to give the district leaders the authority to designate district election officers. Mr. Gruber has decided that other leaders would join in the opposition to Quigg if Platt gave permission. Some of

... have said that Platt's backing was all right. Quigg is authority in the County Committee. The opposition talk has been taken in quarters to indicate that Platt is willing to change. Senator Platt said yesterday that he is not ready to talk on the subject, but he showed encouragement of the anti-Quigg talk of the district leaders. Quigg had gone out of the district for a few days of rest.

... and Croker and other Tammany leaders have been looking over the situation, and saying that

believe Platt intends to "make a scapegoat of little Quigg." They declare that the fusion was favored by Platt, who wanted union of the Citizens Union on any terms that would aid in the election of more Republican Assemblymen in New-York County. The loss of a Republican Assemblyman in the county, the city leaders say, has made Platt's scheme a failure, and now he is ready to give the word to "quit Quigg."

Quigg returned to the city last evening and will go to the Fifth Avenue Hotel to have a talk with Senator Platt, but after the interview he de-

to talk about the opposition campaign in the
Committee. There will be a regular meet-
ing of the County Committee in the Murray Hill
next Thursday evening, and the opposition
expected to show itself.

EXPENSES OF CANDIDATES.

GEORGE BARRETT SPENT NOTHING—CERTIFICATE
OF OTHER MEN.

George C. Barrett, who was re-elected
of the Supreme Court, filed a certificate

A. Weekes, jr., contributed \$600 to the Roman organization, and \$100 to the Citizens

COILED BALLOTS THROWN OUT.
 LARGE ACTION OF DEMOCRATIC SUPERVISORS
 IN STEUBEN COUNTY.

Steuben, N. Y., Nov. 10 (Special).—Steuben
 is greatly stirred up over the action of the
 democratic inspectors, residents of the town
 and the six members fresh from work an-

the polls in that town on Tuesday with
sollid by work done in the morning in the
They cast their votes, and left marks of
on the ballots. When it came to count the
all six of which were Republican, the two
tratic inspectors threw them out, on the
t that they were marked. The Republican
ors refused to sign the returns.
e six votes not only changed the vote on
rvisor in the town, but also change the po-

complexion of the entire board. with the
tes thrown out, the Democratic Supervisor
by a majority of four. Counting them
publican is elected by two. If the Repub-
Supervisor is elected the Board will have a
slean majority of one. If the Democra-
tor is elected, it will give to the Democra-
rty of one. It is not pretended that these
intended to mark their ballots, and the fact
ney are slightly soiled was simply a matter
ident.

◆

LARGE PARADE AT TROY.

N. Y., Nov. 10 (Special).—There was a demonstration here this evening the like of which has not been seen in many years. It was in honor of the Democratic member-elect Ahren, who was the candidate of the Republican party and of the Progressives. This district has for many years been the stronghold of the Democrats, and Ahren, a labor leader and workman, is being elected here because of wresting from the ring the supremacy it so long has possessed. The procession comprised a band and drum corps and one thousand men, most of whom were

GOVERNOR-ELECT SMITH'S PLANS.

HOLD HIS SEAT IN CONGRESS UNTIL INAUGURATED—SPECIAL ELECTION TO BE HELD.

more. Nov. 10 (Special).—A precedent having established in the case of Governor Hill, who

short time here a week ago, as well as the Governorship, Colonel Walter Smith, the newly elected Democratic Governor of Maryland, will, it is said, keep his Congress until his inauguration as Governor the second Monday in January next. He was elected to Congress from the 1st District November. Colonel Smith, as a representative of the Tidewater section of Maryland, is deeply interested in the River and Harbor bill, and he also has an opinion on the Democratic Presidential nomination to become known. The Colonel is a

Money Democrat. The Governor must order a special election for Congressman shall be in the district. The probable Democratic chances for the nomination are ex-Governor Jackson, ex-Congressman Joshua W. Miles, Senator William F. Applegarth and ex-State Thomas A. Smith.

NIA

ffic
d Obstinate
ation

tion.
 A, taken early in the morning
 (or hot coffee or tea), smaller
 reduced quantities, at intervals
 tion is completely overcome.
 Seymour Building, New York.